

# Board of Education Agenda Item

Item: \_\_\_\_\_ D. \_\_\_\_\_

Date: \_\_\_\_\_ February 23, 2005 \_\_\_\_\_

**Topic:** First Review of a Resolution to Grant the Superintendent of Public Instruction Authority to Approve the Issuance of Certain Licensure Requests on Behalf of the Board of Education

**Presenter:** Mr. Thomas M. Jackson, Jr., President of the Board of Education

**Telephone Number:** \_\_\_\_\_

**E-Mail Address:** \_\_\_\_\_

## Origin:

\_\_\_\_\_ Topic presented for information only (no board action required)

X Board review required by

\_\_\_\_\_ State or federal law or regulation

X Board of Education regulation

\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_ Action requested at this meeting \_\_\_\_\_ Action requested at future meeting: \_\_\_\_\_ (date)

## Previous Review/Action:

X No previous board review/action

\_\_\_\_\_ Previous review/action

date \_\_\_\_\_

action \_\_\_\_\_

## Background Information:

The *Regulations Governing the Licensure of Instructional Personnel*, Sections 8 VAC 20-21-660 to 8 VAC 20-21-720 (effective July 1, 1998), outline the requirements for revocation, cancellation, suspension, denial, and reinstatement of teaching licenses.

## Summary of Major Elements:

The *Regulations Governing the Licensure of Instructional Personnel* stipulate that the Board of Education may deny a teaching license for the following reasons:

1. Attempting to obtain such license by fraudulent means or through misrepresentation of material facts;
2. Falsification of records or documents;
3. Conviction of any felony;

4. Conviction of any misdemeanor involving moral turpitude;
5. Conduct, such as immorality, or personal condition detrimental to the health, welfare, discipline, or morale of students or to the best interest of the public schools of the Commonwealth of Virginia;
6. Revocation of the license by another state; or
7. Other good and just cause of a similar nature.

The attached resolution will allow the State Superintendent of Public Instruction the authority to approve the issuance of licenses for individuals who have misdemeanor convictions based on a review of the cases. No individual would be denied a license without a hearing of the Board of Education as required in Section 8 VAC 20-21-720 of the *Regulations Governing the Licensure of Instructional Personnel*.

**Superintendent's Recommendation:**

N/A

**Impact on Resources:**

The impact on resources will not change as a result of this action.

**Timetable for Further Review/Action:**

This recommendation will be presented to the Board of Education for final review at the March 23, 2005, meeting.

**Resolution of the Board of Education  
to Grant the Superintendent of Public Instruction Authority  
to Approve the Issuance of Certain Licensure Requests  
on Behalf of the Board of Education**

***WHEREAS**, Section 22.1-298 of the Code of Virginia grants the Board of Education the authority to prescribe the requirements for the licensure of teachers; and*

***WHEREAS**, the Board of Education approves the Regulations Governing the Licensure of Instructional Personnel; and*

***WHEREAS**, the Regulations Governing the Licensure of Instructional Personnel stipulate that the Board of Education may deny a teaching license for the following reasons: 1. Attempting to obtain such license by fraudulent means or through misrepresentation of material facts; 2. Falsification of records or documents; 3. Conviction of any felony; 4. Conviction of any misdemeanor involving moral turpitude; 5. Conduct, such as immorality, or personal condition detrimental to the health, welfare, discipline, or morale of students or to the best interest of the public schools of the Commonwealth of Virginia; 6. Revocation of the license by another state; or 7. Other good and just cause of a similar nature; and*

***WHEREAS**, individuals who have been convicted of misdemeanors involving drugs or children must have their cases reviewed to determine if it is in the best interest of the individual and the public schools of the Commonwealth to issue the license;*

***NOW, THEREFORE, BE IT RESOLVED** that the Board of Education grants the State Superintendent of Public Instruction the authority to approve the issuance of licenses for individuals who have misdemeanor convictions involving drugs or children where, based on a review of the record of an applicant, the State Superintendent of Public Instruction finds that issuance of a license to such applicant is appropriate under the circumstances and that the applicant is otherwise qualified. No individual would be denied a license without a hearing by the Board of Education as required in Section 8 VAC 20-21-720 of the Regulations Governing the Licensure of Instructional Personnel.*

*Adopted by the Board of Education, this \_\_\_\_ day of \_\_\_\_\_ in the Year 2005.*

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***Thomas M. Jackson, Jr., President  
Board of Education***